

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass as Amended, Be Printed Engrossed, and Rescind the Subsequent Referral to the Committee on Ways and Means
<b>Vote:</b>	7 - 0 - 0
<b>Yeas:</b>	Bentz, Buckley, Gilman, Read, Smith G., Tomei, Beyer
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Patrick Brennan, Administrator
<b>Meeting Dates:</b>	2/5, 2/6

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**WHAT THE MEASURE DOES:** Stipulates that violation of variance permits related to the required number of pilot vehicles or failure to follow a prescribed route is a Class A violation, punishable by a maximum fine of \$720. Clarifies offense of failure to remove a motor vehicle from the roadway. Declares an emergency and takes effect upon passage.

**ISSUES DISCUSSED:**

- Unintended consequences of HB 2936 (2007)
- Provisions of amendments

**EFFECT OF COMMITTEE AMENDMENT:** Deletes statutory requirement that farm vehicle registration applicants include township name on application.

**BACKGROUND:** House Bill 2936 (2007) addressed three separate provisions of Oregon law: motor home fees, truck permit violations, and minor accidents. With regard to truck permit violations, HB 2936 sought to address a situation in which it was cheaper to be cited for violating provisions of variance permits, a Class D violation punishable by a fine of up to \$90, than to pay for proper pilot car guidance. The measure redesignated the penalty for violating the variance permit as a Class A violation, punishable by a maximum fine of \$720, with the purpose of reinstating the incentive to properly utilize pilot cars.

However, the change made to the variance permit violation statutes inadvertently made *all* penalties for violating variance permits a Class A violation, rather than only those violations related to pilot vehicles. House Bill 3622-A clarifies that violations related to the required number of pilot vehicles, or failure to follow a route prescribed by the Oregon Department of Transportation, are punishable as a Class A violation, while other variance permit violations (other than weight provisions) are Class D violations.

A second provision of HB 2936 was to address major traffic delays caused by minor traffic accidents in high traffic areas. The measure created the offense of failure to remove a motor vehicle from a highway in cases where the driver was not injured and the vehicle is operable enough to drive it safely to a designated parking area along the highway or shoulder of the highway. House Bill 3622-A clarifies these provisions by stipulating that it applies to all roadways, not just highways, and by allowing the vehicle to be removed to a location off the roadway as close to the accident scene as possible. Also, the measure stipulates that the offense of failure to remove vehicle from a roadway is committed only if no person (rather than just the driver) is injured as a result of the accident.

Finally, HB 3622-A deletes a statutory requirement that applications for farm vehicle registrations include the township name of the applicant.

2/7/2008 4:26:00 PM

***This summary has not been adopted or officially endorsed by action of the committee.***